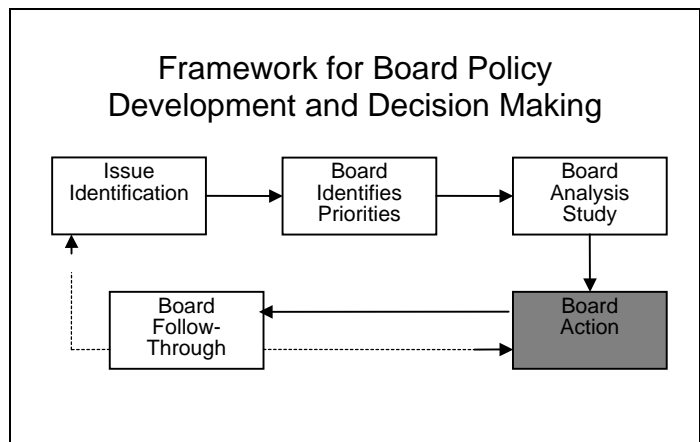


Iowa State Board of Education

Executive Summary
February 7, 2007



Agenda Item: Chapter 34, Funding for Children Residing in State Institutions or Mental Health Institutes; Notice of Intended Action to Amend

Iowa Goal: 2. All K-12 students will achieve at high levels, prepared for success beyond high school.

Equity Impact Statement: These amendments will provide secondary students in an MHI (Cherokee or Independence), the State Training School (Eldora), or the Iowa Juvenile Home (Toledo) the same access to Postsecondary Educational Options (dual credit) courses as any other secondary student in Iowa, and will provide the funding therefore.

Presenter: Steve Crew, Consultant, Chapter 34 Institutions

Attachments: 2

Recommendation: It is recommended that the State Board give public notice of its intent to amend this chapter.

Background: The primary purpose of the changes proposed is to give secondary students in an MHI or at the Eldora Training School or the Toledo Juvenile Home the ability to take dual credit courses at the State's expense. It is estimated that the equivalent of ten (10) students will take full advantage of the rule change, at a cost of approximately \$30,000 annually. Minor changes include amending dates and deadlines to conform to recent legislation.

EDUCATION DEPARTMENT [281]

Notice of Intended Action

Pursuant to the authority of Iowa Code section 256.7(5), the State Board of Education hereby proposes to amend Chapter 34, "Funding for Children Residing in State Institutions or Mental Health Institutes," Iowa Administrative Code.

These amendments primarily provide secondary students in an MHI (Cherokee or Independence), the State Training School (Eldora), or the Iowa Juvenile Home (Toledo) the same access to Postsecondary Educational Options (dual credit) courses as any other secondary student in Iowa, and provide the funding therefore. Secondly, the amendments change certain deadlines to conform to legislative changes to Iowa Code section 257.6(1) by 2006 Iowa Acts, Chapter 1152, Section 22.

An agency-wide waiver provision is provided in 281—chapter 4.

Interested individuals may make written comments on the proposed amendments on or before March 26, 2007 at 4:30 p.m. Comments on the proposed amendments should be directed to Steve Crew, Bureau of Children, Family & Community Services, Iowa Department of Education, 3rd Floor, Grimes State Office Building, Des Moines, Iowa 50319-0146; telephone (515)281-6285; e-mail steve.crew@iowa.gov; or fax (515)242-6019.

A public hearing will be held on March 26, 2007, from 9:00 a.m. to 10:00 a.m., at the State Board Room, second floor, Grimes State Office Building, East 14th Street and Grand Avenue, Des Moines, Iowa, at which time persons may present their views either orally or in writing. Any persons who intend to attend the public hearing and have special requirements such as those related to hearing or mobility impairments should contact and advise the Department of Education of their specific needs by calling (515)281-5295.

A fiscal impact summary prepared by the Legislative Services Agency pursuant to Iowa Code section 17A.4(3) will be available at <http://www.legis.state.ia.us/IAC.html> or at (515)281-5279 prior to the Administrative Rules Review Committee's review of this rule making.

These amendments are intended to implement 2006 Iowa Acts, Chapter 1152, Section 22, and Iowa Code chapters 218 and 261C.

The following amendments are proposed.

Item 1. Amend rule **281—34.4(218)** as follows:

281—34.4(218) Notification.

34.4(1) *Students served at mental health institutes.* The Mental Health Institute, Cherokee, Iowa, and the Mental Health Institute, Independence, Iowa, shall notify the district of residence of each child who on ~~the third Friday in September~~ the date specified in section 257.6, subsection 1 is residing in these institutions. The notification shall occur on or ~~after the third Friday in September and on or before the fourth Friday in September~~ before October 10 and shall be in writing or in a printable electronic medium. The notification shall include the child's name, birth date, and grade level and the names and addresses of the child's parents or guardians.

34.4(2) *Students served at the State Training School at Eldora and the Iowa Juvenile Home at Toledo.* The State Training School at Eldora and the Iowa Juvenile Home at Toledo shall notify the AEA in which the institution is located and the district of residence of each child who on ~~the third Friday in September~~ the date specified in section 257.6, subsection 1 is residing in these institutions if the child's release date is known and the release date is within the current school year. The notification shall occur on or ~~after the third Friday in September and on or before the fourth Friday in September~~ before October 10. For students served pursuant to an IEP, the State Training School at Eldora and the Iowa Juvenile Home at Toledo shall by the last Friday in October also notify the AEA in which the institution is located and the district of residence of each child residing in these institutions if the child's release date is known and the release date is within the current school year. Notifications shall be in writing or in a printable electronic medium and shall include the child's name, birth date and grade level and the names and addresses of the child's parents or guardians.

ITEM 2. Amend rule **281—34.4(218)** by adding the following new subrule thereto:

34.11(9) *Dual credit course costs.* Costs include the actual expenses, if reasonable and customary, for tuition, textbooks, course materials, and fees directly related to dual credit courses taken pursuant to rule 34.15 by students who are residents of the state of Iowa.

ITEM 3. Adopt the following **new** rule:

281—34.15(218, 233A, 261C) Dual credit courses. Eleventh and twelfth grade students attending these institutions who are residents of the state of Iowa are eligible to be enrolled in college courses offered by an eligible postsecondary institution as defined in Iowa Code section 261C.3(1) and to receive both secondary and postsecondary credit therefor.

34.15(1) *Non-eligible courses.* Postsecondary courses utilized in the attainment of an adult diploma or general equivalency diploma are not eligible for dual credit funding.

34.15(2) *Eligible courses.* Postsecondary courses eligible for funding hereunder must meet all of the following requirements. The course must be:

- (1) Supplementing, not supplanting, courses offered at the institution.
- (2) Included in the college catalog or an amendment or addendum to the catalog.
- (3) Open to all registered college students, not just secondary students.
- (4) Taught by a college-employed instructor.
- (5) Taught utilizing the college course syllabus.
- (6) Of the same quality as a course offered on a college campus.
- (7) Nonsectarian.

34.15(3) *Maximum college courses allowed.* A student is allowed to take a maximum of three college courses during a semester for a maximum of six college courses per regular school year while the student is in attendance at the institution. College courses taken outside the regular school year shall not be paid for under this chapter. If the student exceeds the course limits, the cost of additional courses shall not be funded hereunder.